

REMARKS

This Amendment, submitted in response to the Office Action dated July 6, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-8 and 10-17 are all the claims pending in the application. Claims 2, 4, 6-8, 10, and 12-14 have been withdrawn from consideration. Claim 9 has been canceled. Applicant has amended claim 16 to be consistent with the specification. See page 18, second full paragraph of specification.

I. Objection to claim 11

The Examiner has objected to claim 11 for an informality. Applicant has amended claim 11 as indicated above. Consequently, Applicant requests that the objection to claim 11 be withdrawn.

II. Rejection of claims 1, 11 and 16 under 35 U.S.C. § 103

Claims 1, 11 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Masaki et al. (JP Pub. No. 07-007810; hereinafter "Masaki") in view of Imai (JP Pub. No. 2001-023700; hereinafter "Imai").

Claim 1 recites "wherein an electric connection body for electrically connecting the battery and the inverter unit is a metal plate." The Examiner asserts that Imai teaches the use of a plate and mounting board (base plate 170 and junction board 17) attached to the side of a

battery to affix circuits. The Examiner asserts it would have been obvious to use a metal plate to connect the battery and the inverter unit in order to secure the inverter unit.

On page 2 of the Office Action, the Examiner states that inverter circuitry is contained within PDU item 9. However, contrary to the Examiner's assertions, Imai does not disclose a metal plate (electric connection body) for electrically connecting a battery and an inverter unit. Imai merely discloses that a base plate 170 of a junction board is fixed to a frame on a side surface of a battery. A circuit containing protection functional components such as a main switch, a contactor, and a fuse is wired on the base plate 170. See abstract of Imai. However, there is no teaching or suggestion that the base plate 170 or the junction board 17 electrically connect a battery and an inverter unit.

Further, the combination of Imai with Masaki is not obvious. Masaki Fig. 1 discloses an inverter 6 and a battery 12 enclosed in an electromagnetic shielding container 14. Therefore, assuming *arguendo*, Imai discloses the claimed plate, there is no need for an electric connection body for electrically connecting the battery and the inverter unit of Masaki since the battery and inverter unit of Masako are already housed in the electromagnetic shielding container 14. Therefore, it is evident that the Examiner's reasoning is merely a result of hindsight.

On page 3 of the Office Action, the Examiner states that Masaki is silent as to how the inverter and battery of Masaki are connected, therefore, a plate as disclosed in Imai can be used. Masaki discloses that DC battery wiring 13 connects inverter 6 with battery 12. There is no teaching or suggestion that a metal plate is required in order to establish an electric connection between the battery and the inverter of Masaki.

The Examiner's suggestion to modify Masaki would result in a substantial modification of the principle of operation of the Masaki reference, evidencing that the Examiner's reasoning is merely a result of impermissible hindsight upon viewing the Applicant's disclosure. For at least the above reasons, claim 1 and its dependent claims should be deemed allowable.

Claim 16

Claim 16 recites "an attachment plate which is fixed integrally with the inverter unit, and wherein a battery fixing plate is integrally welded or caulked to the attachment plate."

The Examiner asserts that junction board 15 of Imai teaches the claimed attachment plate. However, reference numeral 15 of Imai discloses a rear wheel which is not an attachment plate. Assuming the Examiner meant to cite Masaki, reference numeral 15 of Masaki discloses an input capacitor 15, which is not an attachment plate as claimed.

Consequently, claim 16 should be deemed allowable.

III. Rejection of claims 3 and 5 under 35 U.S.C. § 103

Claims 3 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Masaki in view of Imai in view of Saka et al. (JP Pub. No. 2004-120936; hereinafter "Saka").

Claims 3 and 5 should be deemed allowable by virtue of their dependency to claim 1 for at least the reasons set forth above. Moreover, Saka does not cure the deficiencies of Masaki and Imai.

IV. Alternative Rejection of claims 3 and 5 under 35 U.S.C. § 103

Claims 3 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Masaki in view of Imai. Claims 3 and 5 should be deemed allowable by virtue of their dependency to claim 1 for at least the reasons set forth above.

V. Rejection of claim 15 under 35 U.S.C. § 103

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Masaki in view of Imai in further view of Becker (U.S. Patent No. 4,535,863; hereinafter “Becker”). Claim 15 should be deemed allowable by virtue of its dependency to claim 1 for at least the reasons set forth above. Moreover, Becker does not cure the deficiencies of Masaki and Imai.

Claim 15 recites “a battery tray, wherein said battery is positioned in said battery tray, and wherein said metal plate is fixed to the battery tray.” The Examiner concedes that Masaki and Imai do not disclose the claimed battery tray and cites Becker to cure the deficiency. However, assuming *arguendo* Becker teaches the claimed battery tray, there is no teaching or suggestion that a metal plate is fixed to the battery tray as claimed.

Therefore, claim 15 should be deemed allowable.

VI. Rejection of claim 17 under 35 U.S.C. § 103

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Masaki in view of Imai in further view of Tamba et al. (U.S. Patent No. 6,621,701; hereinafter “Tamba”). Claim 17 should be deemed allowable by virtue of its dependency to claim 1 for at least the reasons set forth above. Moreover, Tamba does not cure the deficiencies of Masaki and Imai.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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